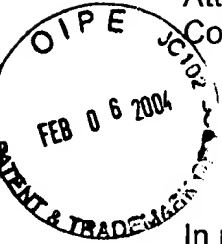


Attorney Docket No.: 003764.P180

Confirmation No.: 4544



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
FEB 10 2004
TECHNOLOGY CENTER R3700

In re Application of:

Robert Ainsworth, et al.

Application No.: 09/872,310

Filed: May 31, 2001

For: CATHETER WITH OPTICAL
FIBER SENSOR

Examiner: LIN, Jeoyuh

Art Unit: 3737

10/13 NR
2/12

**AMENDMENT UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3737**

Mail Stop: AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

In response to the Final Office Action mailed December 4, 2003, for the above-identified application, please enter the following amendments and consider the following remarks.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

February 4, 2004

Date of Deposit

Dianne Neathery

Name of Person Mailing Correspondence

Dianne Neathery
Signature

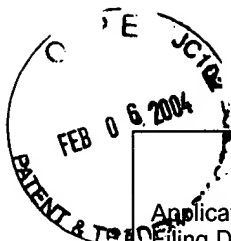
February 4, 2004

Date

Serial No.: 09/872,310
Filing Date: 5/31/2001

1/27

Attorney Docket No.: 3764.P180
Resp. to FOA Dated: 12/04/2003



AF/3739

TRANSMITTAL LETTER**PATENT**

Application No.: 09/872,310

Filing Date: May 31, 2001

First Named Inventor: Robert Ainsworth

Examiner's Name: LIN, Jeoyuh

Art Unit: 3737

Attorney Docket No.: 3764.P180

Corres. and Mail

BOX AF

- ☒ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ____ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- ____ Preliminary Amendment
- ____ Amendment/Response with respect to Office Action
- ☒ Amendment/Response After Final Action (37 CFR 1.116)
- ____ Notice of Appeal
- ____ RCE (Request for Continued Examination)
- ____ Supplemental Declaration
- ____ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ____ Information Disclosure Statement (IDS)
- ____ Copies of IDS citations
- ____ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ____ Cross-Reference to Related Application(s)
- ____ Certified Copy of Priority Document
- ____ Other: _____
- ____ Other: _____
- ____ Check(s)
- ☒ Postcard (Return Receipt) (2)

RECEIVED
FEB 10 2004
TECHNOLOGY CENTER R3700**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Suk S. Lee

SIGNATURE: 

REG. NO.: 47,745

DATE: February 4, 2004

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

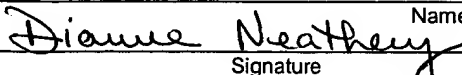
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February 4, 2004

Date of Deposit

Dianne Neathery

Name of Person Mailing Correspondence



Signature

February 4, 2004

Date

Express Mail Label No. (if applicable): N/A

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

(10/14/03)



FEE CALCULATION (continued)**3. ADDITIONAL FEES**


<u>Larg Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee</u>	<u>Fe</u>	<u>F e</u>	<u>F</u>		
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1813	8,800	1813	8,800	Request for inter parties reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	110	2251	55	Extension for reply within first month	_____
1252	420	2252	210	Extension for reply within second month	_____
1253	950	2253	475	Extension for reply within third month	_____
1254	1,480	2254	740	Extension for reply within fourth month	_____
1255	2,010	2255	1,005	Extension for reply within fifth month	_____
1401	330	2401	165	Notice of Appeal	_____
1402	330	2402	165	Filing a brief in support of an appeal	_____
1403	290	2403	145	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	110	2452	55	Petition to revive - unavoidable	_____
1453	1,330	2453	665	Petition to revive - unintentional	_____
1501	1,330	2501	665	Utility issue fee (or reissue)	_____
1502	480	2502	240	Design issue fee	_____
1503	640	2503	320	Plant issue fee	_____
1460	130	1460	130	Petitions to the Commissioner	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	110	2814	55	Statutory Disclaimer	_____
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	770	2801	385	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505	300	Publication fee for republication	_____
1803	130	1803	130	Request for voluntary publication or republication	_____
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Suk S. LeeSignature:  Date: February 4, 2004Reg. Number: 47,745 Telephone Number: (408) 720-8300

Send to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450